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IDAHO LEGISLATURE

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SIXTY-SECOND LEGISLATURE

TWENTY-SIXTH LEGISLATIVE DAY
FRIDAY, JANUARY 31, 2014

Senate Chamber

President Little called the Senate to order at 11:15 a.m.

Roll call showed all members present except Senator Goedde, absent and formally excused by the Chair; and Senators Bayer, Cameron, and Davis, absent and excused.

Prayer was offered by Chaplain Keith Buhler.

The Pledge of Allegiance was led by Hannah Utley, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of January 30, 2014, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senator Bayer was recorded present at this order of business.

January 31, 2014

The JUDICIARY AND RULES Committee reports that [S 1259](#), [S 1260](#), [S 1261](#), [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), and [S 1268](#) have been correctly printed.

LODGE, Chairman

[S 1259](#) was referred to the Judiciary and Rules Committee.

[S 1260](#), [S 1261](#), [S 1262](#), and [S 1263](#) were referred to the Health and Welfare Committee.

[S 1264](#) was referred to the Education Committee.

[S 1265](#) was referred to the Local Government and Taxation Committee.

[S 1266](#), [S 1267](#), and [S 1268](#) were referred to the Agricultural Affairs Committee.

January 30, 2014

The COMMERCE AND HUMAN RESOURCES Committee reports it has had under consideration the Gubernatorial appointments listed below and the Committee recommends that said appointments be confirmed by the Senate:

David Self to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Hyatt Erstad to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Karen Vauk to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Kevin Settles to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Mark Estess to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

Scott Kreiling to the Idaho Health Insurance Exchange Board, term to expire April 10, 2017.

TIPPETS, Chairman

The Gubernatorial appointments were referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

January 30, 2014

The TRANSPORTATION Committee reports out [S 1227](#) with the recommendation that it do pass.

BRACKETT, Chairman

[S 1227](#) was filed for second reading.

January 30, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 374](#), [H 375](#), and [S 1239](#) with the recommendation that they do pass.

SIDDOWAY, Chairman

[H 374](#), [H 375](#), and [S 1239](#) were filed for second reading.

January 30, 2014

The LOCAL GOVERNMENT AND TAXATION Committee reports out [H 369](#) with the recommendation that it be referred to the Fourteenth Order of Business for amendment.

SIDDOWAY, Chairman

There being no objection, [H 369](#) was referred to the Fourteenth Order of Business, General Calendar.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

January 30, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Kathy Simpson of Idaho Falls, Idaho, was appointed as a member of the Judicial Council to serve a term commencing July 1, 2013, and expiring June 30, 2019.

This appointment was made subject to confirmation by the Senate. Notice of appointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial appointment was referred to the Judiciary and Rules Committee.

January 30, 2014

The Honorable Brad Little
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that Lee Gagner of Idaho Falls, Idaho, was reappointed as a member of the Idaho Transportation Board to serve a term commencing January 31, 2014, and expiring January 31, 2020.

This reappointment was made subject to confirmation by the Senate. Notice of reappointment is hereby given.

As Always - Idaho, *Esto Perpetua*
/s/ C.L. "Butch" Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Gubernatorial reappointment was referred to the Transportation Committee.

Senator Davis was recorded present at this order of business.

The Senate advanced to the Ninth Order of Business.

Messages from the House

January 30, 2014

Dear Mr. President:

I transmit herewith [H 397](#), [H 348](#), [H 349](#), [H 350](#), [H 361](#), [H 362](#), and [H 385](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 397](#), [H 348](#), [H 349](#), [H 350](#), [H 361](#), [H 362](#), and [H 385](#) were filed for first reading.

January 30, 2014

Dear Mr. President:

I return herewith [SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#), which have passed the House.

ALEXANDER, Chief Clerk

[SCR 132](#), [S 1216](#), [S 1217](#), and [S 1218](#) were referred to the Judiciary and Rules Committee for enrolling.

Senator Cameron was recorded present at this order of business.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1269

BY COMMERCE AND HUMAN RESOURCES COMMITTEE

AN ACT

RELATING TO INSURANCE; AMENDING SECTION 41-3608, IDAHO CODE, TO PROVIDE THAT THE ASSOCIATION MAY PROVIDE CLAIMS HANDLING SERVICES TO RUN-OFF INSURERS.

S 1270

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO VETERANS HOMES; AMENDING SECTION 66-901, IDAHO CODE, TO PROVIDE THAT ANY PARENT WHOSE CHILD DIED WHILE SERVING IN THE ARMED FORCES SHALL BE ELIGIBLE FOR ADMISSION TO IDAHO STATE VETERANS HOMES AND TO MAKE A TECHNICAL CORRECTION.

S 1271

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO STATE SYMBOLS; AMENDING CHAPTER 45, TITLE 67, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 67-4513, IDAHO CODE, TO PROVIDE THAT THE IDAHO GIANT SALAMANDER IS DESIGNATED AND DECLARED TO BE THE STATE AMPHIBIAN OF THE STATE OF IDAHO.

S 1272

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO LEGISLATIVE COUNCIL; AMENDING SECTION 67-427, IDAHO CODE, TO PROVIDE THAT LEGISLATIVE COUNCIL SHALL MEET AT LEAST TWO TIMES A YEAR OR AS MAY BE NECESSARY, TO PROVIDE THAT MEMBERS OF THE COUNCIL SHALL HOLD OFFICE FOR TWO YEARS AND TO ESTABLISH PROVISIONS RELATING TO FILLING VACANCIES; AND AMENDING SECTION 67-428, IDAHO CODE, TO REVISE PROVISIONS RELATING TO OFFICERS OF THE COUNCIL AND TO PROVIDE THAT THE COUNCIL MAY ADOPT ITS OWN RULES AND APPOINT CERTAIN COMMITTEES.

S 1273

BY STATE AFFAIRS COMMITTEE

AN ACT

RELATING TO WORKER'S COMPENSATION; AMENDING SECTION 72-438, IDAHO CODE, TO PROVIDE THAT COMPENSATION SHALL BE PAYABLE FOR DISABILITY OR DEATH RESULTING FROM CERTAIN FIREFIGHTER OCCUPATIONAL DISEASES, TO DEFINE A TERM, TO PROVIDE A REBUTTABLE PRESUMPTION OF PROXIMATE CAUSATION BETWEEN SPECIFIED DISEASES AND EMPLOYMENT AS A FIREFIGHTER, TO PROVIDE FOR REBUTAL OF THE PRESUMPTION, TO PROVIDE FOR THE DEMONSTRATION OF CAUSAL CONNECTION, TO PROVIDE THAT THE PRESUMPTION

SHALL NOT APPLY UNDER CERTAIN CIRCUMSTANCES AND TO MAKE TECHNICAL CORRECTIONS.

[S 1269](#), [S 1270](#), [S 1271](#), [S 1272](#), and [S 1273](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 397](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 348](#), [H 349](#), and [H 350](#), by Health and Welfare Committee, were introduced, read the first time at length, and referred to the Health and Welfare Committee.

[H 361](#), [H 362](#), and [H 385](#), by Education Committee, were introduced, read the first time at length, and referred to the Education Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[H 407](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[S 1235](#), [S 1236](#), [S 1237](#), and [S 1238](#), by Local Government and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[S 1215](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Lakey arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [S 1215](#) passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Schmidt, granted by unanimous consent, [S 1222](#) was recommitted to the Health and Welfare Committee.

[H 386](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 386](#) passed, title was approved, and the bill ordered returned to the House.

[H 387](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Nuxoll arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 387](#) passed, title was approved, and the bill ordered returned to the House.

[H 388](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Schmidt arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Bair, Bayer, Bock, Brackett, Buckner-Webb, Cameron, Davis, Fulcher, Guthrie, Hagedorn, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Pearce, Rice, Schmidt, Siddoway, Stennett, Thayn, Tippets, Vick, Ward-Engelking, Werk, Winder. Total - 34.

NAYS—None.

Absent and excused—Goedde. Total - 1.

Total - 35.

Whereupon the President declared [H 388](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Winder, granted by unanimous consent, [S 1223](#) and [S 1224](#) retained their place on the Third Reading Calendar for Monday, February 3, 2014.

On request by Senator Winder, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Winder, seconded by Senator Stennett, by voice vote, the Senate adjourned at 11:50 a.m. until the hour of 11 a.m., Monday, February 3, 2014.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary